

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

RICKY LANE SINCLAIR

CIVIL ACTION NO. 07-0626

VS.

SECTION P

WARDEN, RAPIDES DETENTION CENTER

JUDGE DRELL


MAGISTRATE JUDGE KIRK

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge filed previously herein, noting the absence objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED the petition for habeas corpus be **DENIED AND DISMISSED WITH PREJUDICE** because these claims were not fairly presented to the Louisiana Supreme Court on either direct or collateral review and while these claims are "technically exhausted" since no state court remedies remain available to the petitioner, the claims are now considered procedurally defaulted.

THUS DONE AND SIGNED, in chambers, in Alexandria,
Louisiana, on this 2nd day of October,
2007.


DEE D. DRELL
UNITED STATES DISTRICT JUDGE